

1. Chairman Phillips called to order the Rockland Green Board meeting for Tuesday, August 31, 2021, at 5:00 p.m.

2. Pledge of Allegiance led by Commissioner Specht

Phillips: Please remain standing we will have a moment of silence for those thirteen soldiers that perished.

Moment of Silence

Phillips: May God continue to bless America and all servicemen.

3. Roll call by clerk. There is a quorum.

Present

Chairman Phillips
Commissioner Hoehmann
Commissioner Hofstein
Commissioner Hood
Commissioner Kenny
Commissioner Monaghan
Commissioner McGowan
Commissioner Moroney
Commissioner Paul

Present

Commissioner Powers
Commissioner Soskin
Commissioner Specht

Absent

Commissioner Jobson
Commissioner Kohut
Commissioner Lynn
Commissioner Yeger
Commissioner Wieder

Staff

Helene Benado, Jerry Damiani, Noreen Gelok, Jeremy Goldstein, Suzanne Haggerty, Ron Ludwig, Ken Murphy, Denis O'Donnell, Debbie Samuels

Others

Nat Egosi, Stephanie Kosmos, Teno West

4. **Introduced by: Moroney/Soskin**

Unan.

August 31, 2021

**RESOLUTION No. 55 OF 2021
ADOPTION OF MINUTES, MEETING OF
June 24, 2021**

RESOLVED, that the transcribed Minutes of Rockland Green are approved for the meeting June 24, 2021 as recorded by the Clerk and are hereby adopted.

5. **Introduced By: Paul/Hood**

Unan.

August 31, 2021

**RESOLUTION NO. 56 of 2021
ACCEPTING PROPOSAL AND AUTHORIZING NEGOTIATION OF
CONTRACT NO. 2 FOR FACILITY IMPROVEMENTS--GENERAL CONSTRUCTION
AT THE MATERIALS RECOVERY FACILITY**

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”) is a Public Benefit Corporation, duly organized and existing under the Rockland County Solid Waste Management Authority Act, as set forth under Title 13-M of the Public Authorities Law of the State of New York; and

WHEREAS, Rockland Green maintains the Materials Recovery Facility for the purpose of processing and marketing recyclable materials delivered to such facility; and

WHEREAS, Rockland Green determined that major modifications and upgrades to the Materials Recovery Facility were required; and

WHEREAS, Rockland Green issued a Request for Proposals for general construction for certain facility improvements to be made to the Materials Recovery Facility as part of its major modifications and upgrades to the Materials Recovery Facility; and

WHEREAS, Rockland Green issued Request for Proposals 2021-10 on July 1, 2021; and

WHEREAS, Rockland Green issued a total of eight (8) Addenda to the Request for Proposals on July 12, 2021, July 14, 2021, July 19, 2021, July 23, 2021, August 9, 2021 and August 13, 2021; and

WHEREAS, on or before August 20, 2021, two (2) proposals were received from the following two firms: (i) Butler Construction Group Inc.; and (ii) Holt Construction Corp.; and

WHEREAS, Rockland Green’s evaluation team evaluated the proposals and sought clarifications from both companies on August 24, 2021, and received responses from each of the proposers on August 25, 2021; and

WHEREAS, Rockland Green’s evaluation team conducted virtual interviews of both proposers on August 25, 2021; and

WHEREAS, the evaluation team evaluated the two (2) proposals and clarification responses taking into consideration the evaluation factors set forth in the request for proposals, in order to make a determination as to which proposal was more advantageous to Rockland Green, and based on that evaluation determined that Butler Construction Group Inc. provided the more advantageous proposal for a lower overall cost to Rockland Green; now therefore be it

RESOLVED, that the Board has determined that the proposal submitted by Butler Construction Group Inc. meets the requirements of the RFP and that Butler Construction Group Inc. provided the most advantageous proposal; and be it further

RESOLVED, that the Executive Director of Rockland Green is hereby authorized to negotiate with Butler Construction Group Inc., and, if negotiations prove successful, execute the Contract for Facility Improvements – General Construction at the Materials Recovery Facility; and be it further

RESOLVED, that the Contract for Facility Improvements – General Construction at the Materials Recovery Facility shall be substantially as presented at this meeting and any modifications, changes or omissions of such terms thereto as the Executive Director of Rockland Green may negotiate and approve as in the best interests of the Rockland Green and not inconsistent with the terms of this resolution, and the Contract for Facility Improvements – General Construction at the Materials Recovery Facility shall constitute conclusive evidence of the valid authorization hereunder of any such amendment, modification, change or omission; and be it further

RESOLVED, that Rockland Green, in its sole discretion, has the right to discontinue negotiations with Butler Construction Group Inc. at any time prior to the execution of the Contract for Facility Improvements – General Construction at the Materials Recovery Facility as such agreement shall not be binding and valid until executed by the parties, and in such event may commence negotiations with the next proposer.

Damiani: Thank you Mr. Chairman. As you are aware, we awarded Contract #1 for the equipment to Van Dyk Balor Corp. Contract #2 for general construction presented to you today for the facility improvements includes site works, civil work, demolition work and architectural work. We received two proposals Holt Construction and Butler Construction. There was a spread of approximately \$3.6 million between the two proposals. Butler being the lowest with a full proposal submitted.

Phillips: How much lower was their proposal from Holt?

Damiani: Holt was \$10 million plus and Butler was \$7.1 million. The recommendation in front of you today is based on the Evaluation Committee and our outside consultants are we are asking to award Contract #2 Facility Improvements General Construction to Butler Construction.

RESOLUTION No. 57 of 2021

**ESTABLISH THE POSITION OF
CONFIDENTIAL ASSISTANT TO THE EXECUTIVE DIRECTOR
FOR ROCKLAND GREEN**

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green, is a Public Authority Corporation duly organized and existing under Title 13-M of the Public Authorities Law of the State of New York, and

WHEREAS, Rockland Green has established that a Confidential Assistant to the Executive Director position is essential to efficiently operate its facilities; and

WHEREAS, the services of a Confidential Assistant to the Executive Director position is recommended to be created with an annual salary of \$120,000.00 for a forty (40) hour week schedule and subject to a term of probation of twenty six (26) weeks; and therefore be it

RESOLVED, that the position of Confidential Assistant to the Executive Director is hereby established at an annual salary of \$120,000.00 for a forty (40) hour week schedule upon classification action by the Rockland County Department of Personnel; and still be it further,

RESOLVED, that the Chairman is authorized and directed to sign any and all documents and to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution.

Funding Source: Contingency Fund

7. **Introduced by: Powers/McGowan**

Unan.

August 31, 2021

RESOLUTION NO. 58 of 2021

**AUTHORIZING EXECUTION OF INTERAGENCY AGREEMENTS FOR SHARED
SERVICES WITH ROCKLAND COUNTY SEWER DISTRICT NO. 1**

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter "Rockland Green") is a Public Benefit Corporation, duly organized and existing under the

Rockland County Solid Waste Management Authority Act (the “Act”), as set forth under Title 13-M of the Public Authorities Law of the State of New York; and

WHEREAS, pursuant to the Act, Rockland Green has the authority to enter into arrangements with other governmental entities, including Rockland County Sewer District No. 1; and

WHEREAS, Rockland Green and Rockland County Sewer District No. 1 are seeking to participate in an interagency shared services arrangement for legal services as well as an interagency shared services arrangement for certain other services mutually beneficial to the Rockland Green and Rockland County Sewer District No. 1; and

WHEREAS, Rockland Green and Rockland County Sewer District No. 1 anticipate and acknowledge that such interagency agreements for shared services would not exceed a total annually of \$250,000.00 for Rockland Green with Rockland County Sewer District No. 1 reimbursing Rockland Green for up to \$150,000.00 of such costs; now therefore be it

RESOLVED, that the Chairman of Rockland Green is hereby authorized to negotiate with Rockland County Sewer District No. 1, and, if negotiations prove successful, execute interagency shared services agreements mutually beneficial to both parties; and be it further

RESOLVED, that such interagency shared services agreements shall not exceed on an annual basis a total of \$250,000 for Rockland Green and up to \$150,000 for Rockland County Sewer District No. 1, such \$150,000.00 being reimbursed to Rockland Green for such services; and be it further

RESOLVED, that any such interagency shared services agreement(s) entered into pursuant to this resolution shall be consistent with this resolution, and that the Chairman of Rockland Green may negotiate and approve any such interagency shared services agreement(s) as in the best interests of Rockland Green and not inconsistent with the terms of this resolution, and the execution of any such interagency shared services agreement(s) with Rockland County Sewer District No. 1 shall constitute conclusive evidence of the valid authorization hereunder.

8. Introduced by: Monaghan/Hoehmann

Unan.

August 31, 2021

RESOLUTION NO. 59 of 2021

**ESTABLISH THE POSITION OF
ASSISTANT ATTORNEY
FOR ROCKLAND GREEN**

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green, is a Public Authority Corporation duly organized and existing under Title 13-M of the Public Authorities Law of the State of New York, and

WHEREAS, Rockland Green has established that an Assistant Attorney position is essential to efficiently operate its facilities; and

WHEREAS, the services of an Assistant Attorney position is recommended to be created with an annual salary of \$79,500.00 for a twenty (20) hour week schedule and subject to a term of probation of twenty six (26) weeks; and therefore be it

RESOLVED, that the position of Assistant Attorney is hereby established at an annual salary of \$79,500.00 for a twenty (20) hour week schedule upon classification action by the Rockland County Department of Personnel; and still be it further,

RESOLVED, that the Chairman is authorized and directed to sign any and all documents and to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution.

Funding Source: Contingency Fund

9. **Introduced by: Specht/Soskin**

Unan.

August 31, 2021

RESOLUTION NO. 60 OF 2021

**APPOINT CONFIDENTIAL ASSISTANT TO THE EXECUTIVE DIRECTOR
TO ROCKLAND GREEN**

WHEREAS, the Authority has determined that it needs to fill the position of Confidential Assistant to the Executive Director; and

WHEREAS, Ryan Montal has sought the position, and is qualified; now therefore be it

RESOLVED, Ryan Montal is hereby selected for the position of Confidential Assistant to the Executive Director to serve in such capacity at the pleasure of Rockland Green, subject to approval of his application by the Rockland County Personnel Department, effective October 12, 2021; and be it further

RESOLVED, that the Confidential Assistant to the Executive Director shall perform a minimum of 40 hours of services per week; and be it further

RESOLVED, that the compensation for such services shall be the sum of \$120,000.00 annually; and be it further

RESOLVED, that the Chairman is hereby authorized and directed to provide a compensation package as defined by the Employee Handbook.

Funding Source: Contingency Fund

10. **Introduced by: Powers/Moroney**

Unan.

August 31, 2021

RESOLUTION NO. 61 OF 2021

**APPOINT ASSISTANT ATTORNEY
TO ROCKLAND GREEN**

WHEREAS, the Authority has determined that it needs to fill the position of Assistant Attorney; and

WHEREAS, Lawrence A. Garvey has sought the position, and is qualified; now therefore be it

RESOLVED, Lawrence A. Garvey is hereby selected for the position of Assistant Attorney to serve in such capacity at the pleasure of Rockland Green, subject to approval of his application by the Rockland County Personnel Department, effective September 7, 2021; and be it further

RESOLVED, that the Assistant Attorney shall perform a minimum of twenty (20) hours of services per week; and be it further

RESOLVED, that the compensation for such services shall be the sum of \$79,500.00 annually; and be it further

RESOLVED, that the Chairman is hereby authorized and directed to provide a compensation package as defined by the Employee Handbook.

Funding Source: Contingency Fund

11. Introduced By: Paul/ Kenny

Unan.

August 31, 2021

RESOLUTION NO. 62 OF 2021

AUTHORIZING DISPOSAL OF SURPLUS EQUIPMENT

WHEREAS, in the course of its operations, Rockland Green accumulates unneeded, worn-out or obsolete equipment, computers, furniture, machinery, tools, parts and vehicles for which it has no need; and

WHEREAS, upon occasion, Rockland Green deems such property to be “Surplus Equipment;” and

WHEREAS, Rockland Green has recently determined that certain pieces of equipment identified on the attached “Schedule A” are Surplus Equipment; and

WHEREAS, Rockland Green has the discretion to dispose of Surplus Equipment by various methods, including sale, auction, competitive bidding, and private negotiation, as set forth in its Guidelines for Disposal of Rockland Green Real and Personal Property (“Property Disposal Guidelines”); and

WHEREAS, it may be desirable for Rockland Green to negotiate disposition of pieces of Surplus Equipment with municipalities that need such equipment in a manner that may benefit the taxpayers of Rockland County, provided that such disposition is consistent with the Property Disposal Guidelines; now therefore be it

RESOLVED, that the Executive Director or his staff are hereby authorized to dispose of the Surplus Equipment listed in the attached “Schedule A” in accordance with the Property Disposal Guidelines.

Phillips: What equipment do we have that we are going to surplus?

Damiani: Mr. Chairman, we have a few items, and EPCO baler, 1996 Caterpillar wheel loader a few small motors associated with the old equipment at the Materials Recovery Facility, 2008 Ford Escape with a bad transmission and various office desks and file cabinets that we no longer have a need for.

Phillips: We should send out a notice to all the municipalities in Rockland that we have this for surplus. I always like to try and help out fellow municipalities in case they are interested.

12. Introduced by: Monaghan/Specht

Unan.

August 31, 2021

RESOLUTION NO. 63 OF 2021

**AUTHORIZING AWARDS OF WINNING BIDS
FOR CURBSIDE RECYCLING BINS**

WHEREAS, on August 2, 2021, Rockland Green issued a Request for Bids (“RFB-2021-12”) for Curbside Recycling Bins, Bin Type #1, green 20-gallon round containers for commingled containers (e.g., plastic, glass bottles, aluminum, and steel cans) with matching lids (hereinafter referred to as “Green Bins”); and

WHEREAS, a bid was received from T.M. Fitzgerald & Associates in response to RFB-2021-12; and

WHEREAS, after receipt and review of the bid, the Rockland Green staff analyzed the bid for completeness, as outlined in the Bid Analysis Worksheets, and;

WHEREAS, the Rockland Green staff has determined that the bid submitted by T.M. Fitzgerald & Associates for Type #1 Green Bins, in the amount of \$18.50 per bin is in all respects responsive and responsible, and therefore recommends acceptance of its bid for Green Bins; now therefor be it

RESOLVED, that the bid of T.M. Fitzgerald and Associates for Type #1 Green Bins is hereby accepted.

Source of Funds: Operating Budget Account 6321-00

Phillips: Tell us what our price was so everyone knows the increase which is occurring.

Damiani: RFP 2018-05 pricing returned by T.M Fitzgerald at the time identified a cost per unit of \$10.20 for a green bin which is a 20 gallon round bin we utilize for mixed containers and the lids at \$3.40 each. There is a 41% increase on the bins and a 21% increase on the lids due to the availability and the constant change on the resin needed to produce the bin as well as the shortage of drivers of getting those bins to us.

Phillips: The good thing is we apply for a grant.

Damiani: We apply for a 50% grant to New York State for the cost of the bins.

Phillips: Attorney, is there any other new business to bring before the Board?

Murphy: No, Mr. Chairman.

Phillips: I know a number of members were concerned with our Contract #1. The Executive Director and I sat down with the trades union and we sat down with our contractor Van Dyk. We are working out an agreement and we have made a slight change to the contract. It is not anywhere near the \$1.2 million and we are hoping we won't lose the warrantee. We are somewhat confident we will work out an agreement.

Damiani: I am confident we will.

13. New Business

Phillips: Do any members have anything to bring before the Board? Since there are no comments, Executive Director would you like to update us?

Damiani: A few months ago Commissioner Kenny asked me to consider implementing a food collection drop off program in the Town of Orangetown. I want to move forward with that as a pilot. I have the hauler, bins and kraft bags that we want to utilize in the program. We will provide all the assistance to the Town of Orangetown. We secured 208,000 bags now at no charge to Rockland Green so that will give the program a good jumpstart.

Phillips: Whatever we can do to help out. Is there anything else Executive Director?

Damiani: No, Mr. Chairman.

Phillips: Do we have any other comments or questions? Since there are no other questions or comments, do we have a motion to adjourn?

Hoehmann: Moved

Kenny: Seconded

The meeting was adjourned at 5:20 p.m.

Respectfully submitted,
Suzanne Haggerty